

Docket No.: LT-0040

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Han Seop RYU

**EXPEDITED PROCEDURE
UNDER 37 C.F.R. §1.116**

Serial No.: 10/623,774

Confirmation No.: 6097

Group Art Unit: 2621

Filed: 7/22/2003

Examiner: Tat Chi CHIO

Customer No.: 34610

For: METHOD FOR REPRODUCING OPTICAL DISC HAVING PLURALITY OF
TITLES

REQUEST FOR RECONSIDERATION

U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop AF**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

The following amendments are submitted in reply to the final Office Action mailed on
November 28, 2008, in connection with the above-identified application.

Claims 1-6, 8-11, 13, 18 and 19 are pending.

In the final Office Action, claims 1-6 were rejected under 35 USC § 102(e) for being
anticipated by the Jeong patent. Applicants request the Examiner to withdraw this rejection for
the following reasons.

It is well settled that the effective date of a U.S. patent when used as a reference under
§102(e) is its actual U.S. filing date, taking into consideration the filing of any prior applications

under 35 USC §§119(e) and 120. The U.S. filing date of the Jeong patent is March 28, 2003. The foreign priority dates of the present application, however, are July 22, 2002 and February 4, 2003 based on Korean Patent Application Nos. 43049-2002 and 06938-2003 respectively (see the claim for priority made in the Declaration filed with the original application papers). The foreign priority dates to which the present application is entitled is well before the effective filing date of the Jeong patent.

In order to perfect Applicant's claim for priority under 35 USC § 119, English translation of certified copies of the priority applications have been submitted with this paper, along with a statement that the translations are accurate.

With the filing of these English translations and statements, it is respectfully submitted that the requirements under MPEP § 201.15 have been satisfied for removing the Jeong patent as a reference against the claims in the present application. Withdrawal of the § 102(e) rejection is therefore respectfully requested.

Claims 8-11, 13, 18, and 19 were rejected under 35 USC § 103(a) for being obvious in view of a Jeong-Hashimoto combination. Applicants traverse this rejection on grounds that the Jeong patent has been removed as a reference against the claims in view of the foregoing discussion. Accordingly, the § 103 rejection is based only on the Hashimoto publication, which fails to teach or suggest all the features recited in the rejected claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: January 29, 2009

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